



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
May 4, 2021

TOPIC: First Amendment to the Memorandum of Agreement for Inter-Jurisdictional Mobility

AGENDA TITLE:

Approve a First Amendment to the Memorandum of Agreement for Inter-Jurisdictional Mobility with the Orange County Housing Authority, Anaheim Housing Authority, and Garden Grove Housing Authority

RECOMMENDED ACTION

Authorize the Executive Director of the Housing Authority to execute a First Amendment to the Memorandum of Agreement for Inter-Jurisdictional Mobility with the Orange County Housing Authority, Anaheim Housing Authority, and Garden Grove Housing Authority effective May 4, 2021, subject to non-substantive changes approved by the Executive Director and the Housing Authority General Counsel.

DISCUSSION

On June 6, 2017, the City Council approved a Memorandum of Agreement (MOA) for Inter-Jurisdictional Mobility with the Orange County Housing Authority, Anaheim Housing Authority and Garden Grove Housing Authority (Exhibit 1).

Under the federal regulations for the Housing Choice Voucher Program, a family that has been issued a voucher by the Housing Authority of the City of Santa Ana (SAHA) has the right to use their voucher to lease a unit anywhere in the United States so long as the unit is located within the jurisdiction of a Public Housing Authority (PHA) administering a Housing Choice Voucher Program. The process by which a family obtains a voucher from one PHA and uses it to lease a unit in the jurisdiction of another PHA is known as portability. Approximately 735 families are exercising that right and reside outside of SAHA's jurisdiction. Their rental assistance is administered by the Garden Grove Housing Authority (GGHA), Orange County Housing Authority (OCHA), and Anaheim Housing Authority (AHA) who bill SAHA each month for their vouchers. Under the federal regulations for the Housing Choice Voucher Program, SAHA does not have the authority to deny a family their right to port-out of Santa Ana with their voucher or to ask another housing authority to absorb those families into their programs.

OCHA, AHA, and GGHA have had a Memorandum of Agreement in place for over ten years, and most recently renewed their existing five-year agreement in June 2017. SAHA has been a party to the MOA since then. This regional agreement between the four housing authorities in Orange County has proven to be successful and cost effective as a best practice recognized by the U.S. Department of Housing and Urban Development. It has even been replicated in the County of Los Angeles and staff has presented on it to housing authorities in Phoenix, Arizona. The MOA simplifies, facilitates, and improves inter-jurisdictional administration of the Housing Choice Voucher Program in Orange County by eliminating often cumbersome procedures that would otherwise be necessary under portability requirements. Under the MOA, when a family exercises their right to port-out, SAHA only needs to request an inspection of the assisted-unit requested by the family from the PHA who has jurisdiction over the geographic location of the unit, but the family's housing assistance continues to be administered by SAHA. The MOA reduces the time it takes for families to move between housing authority jurisdictions in Orange County and allow SAHA, OCHA, and AHA to more efficiently administer our housing assistance.

In addition to the administrative benefits being a part of this regional agreement, SAHA also retains 100 percent of the administrative fee for a family's voucher outside of our jurisdiction in lieu of paying 80 percent of the Administrative Fee to a receiving PHA that is billing SAHA for the administration of the family's voucher. SAHA currently disburses over \$697,000 per year in Administrative Fees for port-out vouchers being administered by OCHA, AHA, GGHA and other housing authorities nationwide, with the majority in Orange County. If our Housing Authority were to ever decide not to be a party to this regional agreement, voucher assisted-families will still exercise their right to portability under the federal regulations for the Housing Choice Voucher Program and these costs would increase.

In order to update the roles and responsibilities of the issuing PHA and the host PHA when using Project Based Vouchers (PBV) for HCV recipients and/or for Special Purpose Voucher (SPV) recipients in the host PHA's jurisdiction, which may have different requirements than the HCV Program, SAHA is seeking approval to execute a First Amendment to the MOA (Exhibit 2). This First Amendment to the MOA is intended to update the responsibilities of the PHAs for inter-jurisdictional administration of the Housing Choice Voucher Program in Orange County by continuing to streamline procedures that would otherwise be necessary under program requirements. The First Amendment will improve coordination for the following: 1) environmental reviews and subsidy layering reviews when project-based vouchers are allocated by OCHA in the jurisdiction of the AHA, SAHA, or GGHA; 2) the inspection process for project-based vouchers in a host PHA's jurisdiction; and 3) establishing the initial rent and tenant selection process. The First Amendment to the MOA will improve upon the existing MOA between the four housing authorities.

It is important to note that while the MOA is officially between OCHA, AHA, SAHA and the GGHA, the Garden Grove Housing Authority is not willing to allow mobility between

Santa Ana and Garden Grove so there is a provision in the original MOA that excludes coordination between Garden Grove and Santa Ana.

The First Amendment to the MOA is contingent on approval by OCHA, AHA, and the Garden Grove Housing Authority.

ENVIRONMENTAL IMPACT

There is no environmental impact associated with this action.

FISCAL IMPACT

There is no fiscal impact associated with this item.

EXHIBIT(S)

1. Memorandum of Agreement (MOA) for Inter-Jurisdictional Mobility
2. First Amendment to MOA for Inter-Jurisdictional Mobility

Submitted By: Steven Mendoza, Assistant City Manager

Approved By: Kristine Ridge, City Manager